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7 **IN THE DISTRICT COURT OF THE STATE OF WASHINGTON**
8 **IN AND FOR WHITMAN COUNTY**
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10 IN THE MATTER OF)
11) NO. 020521
12 EMERGENCY RESPONSE TO PUBLIC)
13 HEALTH THREAT) EIGHTH EMERGENCY
14 (Coronavirus –COVID-19)) ADMINISTRATIVE ORDER
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15 WHEREAS, On February 29, 2020, Governor Jay Inslee declared a state of emergency
16 due to the public health crisis posed by the spread of the coronavirus (COVID 19). This state of
17 emergency continues to the present day, and is expected to exist going forward. On November
18 15, 2020, Governor Inslee announced a doubling of coronavirus transmission rates had
19 occurred in the previous two weeks in Washington State, further endangering public safety.
20 Effective November 16, 2020, indoor social gatherings were banned for non-family members
21 until December 14, 2020. On December 8, 2020, Governor Inslee extended this order until
22 January 4, 2021. On December 30, 2020, Governor Inslee extended again extended this order
23 until January 11, 2021. On January 5, 2021, Governor Inslee issued the “Healthy Washington-
24 Roadmap to Recovery” COVID-19 phased recovery plan. This plan divides the state into eight
25 regions. At this time, the entire State of Washington, including Whitman County’s “East” region
26 are placed in Phase 1 which maintains the same restrictions on indoor gatherings that have
27 been in place since November 16, 2020. The East Region remains in Phase 1 as of today’s
28 date.

WHEREAS, the State Supreme Court of Washington has previously authorized the
Presiding Judge of the District and Municipal Courts to suspend court rules as necessary to

1 promote the public safety while keeping the courts as open as possible, and this Court has
2 enacted Emergency Administrative Orders as follows:

3 FIRST EMERGENCY ADMINISTRATIVE ORDER No.031720

4 SECOND EMERGENCY ADMINISTRATIVE ORDER No.050520

5 THIRD EMERGENCY ADMINISTRATIVE ORDER No.061520

6 FOURTH EMERGENCY ADMINISTRATIVE ORDER No.111920

7 FIFTH EMERGENCY ADMINISTRATIVE ORDER No.121020

8 SIXTH EMERGENCY ADMINISTRATIVE ORDER No.123120

9 SEVENTH EMERGENCY ADMINISTRATIVE ORDER No. 011121

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11 WHEREAS, the latest public health numbers in Washington State indicate COVID-19
12 infections and in particular, Whitman County Public Health Department reports COVID-19 levels
13 in Whitman County remain at or near the "High Activity," in the red zone on the spectrum chart,
14 defined as more than 350 cases per 100,000 people over 14 days. Whitman County Public
15 Health has reported "High Activity" levels each week for, at very least, the last twelve weeks.
16 This data indicates that there is danger in having indoor gatherings of any size, and

17 WHEREAS, this court has taken steps to ensure continued access to justice while protecting
18 the public safety and health,

19 NOW THEREFORE, IT IS HEREBY ORDERED

- 20 1) Jury trials are suspended, effective immediately until after February 19, 2021. This
21 action is deemed necessary as it is not physically possible to gather prospective jurors,
22 empanel a jury and allow that jury to deliberate, while maintaining the social distancing
23 requirements issued by our Governor and set out by the State Department of Health's
24 "Guidelines for Operations during the COVID -19 Pandemic" issued in June of 2020
25 regarding the resumption of jury trials.
- 26 2) Pursuant to the authority granted by the Washington State Supreme Court in paragraph
27 12 and 23 of Order No. 25700-B-646, the Judge of Whitman County District Court finds
28 that the current rise of cases of COVID -19 is an unavoidable circumstance requiring the
suspension of the time for trial rule CrRLJ 3.3(e)(8). Therefore, the time between
November 16, 2020 and the next scheduled court date after February 19, 2021 shall be
EXCLUDED when calculating time for trial. Furthermore, all jury trials currently
scheduled between today's date through February 19, 2021 are cancelled and shall be
reset after February 19, 2021.
- 3) After February 19, 2021, the court may further exclude time under these rules based on
individual findings of "unavoidable circumstance" due to COVID-19 or other
circumstances. Any future exclusion shall be made by subsequent Order of the court.
- 4) The District Court Clerk's Office in Colfax and in Pullman will remain open for regular
business hours.

1 5) All other court operations will continue to proceed with the use of in-person and virtual
2 appearances as described in this court's THIRD EMERGENCY ADMINISTRATIVE
3 ORDER No. 061520.

4 This order may be modified consistent with the Court's continual assessment of the needs of
5 the community as well as the recommendations of public health officials. Further, this order
6 incorporates by reference all previous orders issued by the Washington State Supreme
7 Court as well as this court in reference to the COVID-19 pandemic. All orders shall be
8 posted at the Whitman County District Court Clerk's Office and online with the Washington
9 State Administrative Office of the Courts website and at www.whitmancounty.org on the
10 District Court page.

11 IT IS SO ORDERED.

12 This 5th day of February, 2021.

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17 John Hart
18 Presiding Judge, Whitman County District Court
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